

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)
vs.)
Plaintiff,)
EARL G. RICE JR.,) Case No. 19-cr-30167-SMY
Defendant.)

ORDER

YANDLE, District Judge:

Defendant Earl G. Rice Jr. was sentenced on February 28, 2022, to 600 months imprisonment on Count 1 for enticement of a minor (Count 1) and 360 months imprisonment for travel with intent to engage in illicit sexual conduct (Count 2) and sexual exploitation of a minor (Count 3) (Doc. 93). The sentences were to run concurrently. (Id.). Rice is currently housed at FCI Petersburg Medium and his projected release date is May 23, 2069. Now before the Court is Rice's Motion for Leave to Appeal *in Forma Pauperis* ("IFP") (Doc. 97).

A motion for leave to appeal IFP in a criminal case is governed by the Criminal Justice Act, 18 U.S.C. § 3006A. The only inquiry that is relevant is a defendant's financial ability to retain counsel. *United States v. Dunham*, 922 F.3d 847 (7th Cir. 2019) (Wood, C.J., in chambers). Rice has provided necessary details regarding his financial condition, from which the Court finds that he is indigent and unable to retain counsel (Doc. 97). Accordingly, his Motion for Leave to Proceed on Appeal IFP is **GRANTED**.

IT IS SO ORDERED.

DATED: October 18, 2022



STACI M. YANDLE
United States District Judge